

FILED
FEB 26 2013

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

JAMES V. MCCORMACK, CLERK
By: [Signature]
DEP CLERK

UNITED STATES OF AMERICA

PLAINTIFF

vs.

NO. 4:12CR00306-08 KGB

Johnny Ybarra

DEFENDANT

**WAIVER OF APPEARANCE FOR ARRAIGNMENT
AND ENTRY OF PLEA OF NOT GUILTY**
(Pursuant to Rules 10 and 43 of the Federal Rules of Criminal Procedure)

NOW COMES Defendant in the above-referenced case who, along with his/her undersigned attorney, hereby acknowledges the following:

- 1) Defendant has received a copy of the indictment, superseding indictment or misdemeanor information in this case. Defendant understands the nature and substance of the charges contained therein, the maximum penalties applicable thereto, and his/her Constitutional rights, after being advised of all of the above by his/her attorney.
- 2) Defendant understands he/she has the right to appear personally with his/her attorney before a Judge for arraignment in open court on this accusation. Defendant further understands that, absent the present waiver, he/she will be so arraigned in open court.

Defendant, having conferred with his/her attorney in this regard, hereby waives personal appearance with his/her attorney at the arraignment of this case and the reading of the indictment, superseding indictment or information, and by this instrument tenders a plea of "not guilty." The defendant understands that entry by the Court of said plea for defendant will conclude the arraignment in this case for all purposes.

2/14/13
Date

2/19/13
Date

Johnny Ybarra
Defendant's Signature
[Signature]
Counsel for Defendant's Signature

ORDER OF COURT

| | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | The defendant's request to waive appearance at the arraignment is hereby APPROVED and a plea of not guilty is entered for the defendant effective this date. |
| <input type="checkbox"/> | The defendant's request to waive appearance at the arraignment is hereby DENIED. |
| <u>2/26/2013</u> Date | <u>[Signature]</u> Judicial Officer |

cc: All Counsel of Record
U.S. Probation Office
U.S. Marshals Service
Presiding Magistrate Judge